

### REMARKS

Claims 1-4 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,324,565 to Holt III ("Holt"), in view of U.S. Patent No. 6,526,580 to Shimomura et al ("Shimomura").

Applicant hereby amends claims 1 and 3, and support for the claim amendments are within the originally-filed application at, for example, page 9, lines 3-27. No new matter has been added.

Claims 1-4 remain pending.

#### Rejection of Claims 1-4 under 35 U.S.C. Section 103(a)

With respect to claims 1 and 3, the Office Action states that Holt teaches an apparatus and method for generating documents for clients from data obtained from a cache and a backend server to reduce network traffic. The apparatus comprises a network connecting unit for retrieving data from a content providing server, a cache for storing the data used in creating the document, and a controller including software that determines if the document is located in the cache. The controller sends the document to an intermediate server, and retrieves data from the content providing server if not found in the cache. Further, the controller also packages the retrieved data into a document and sends the document to the requesting client.

The Office Action further states that Shimomura discloses caching information from XML documents because XML is one of the most popular methods of presenting information. Moreover, the Office Action states that it would have been obvious to make the documents of Holt into XML documents because sending an XML document will reduce the traffic being sent over a network.

Applicants have amended claims 1 and 3 to describe, more particularly, the invention. Specifically, Applicants' invention involves, in part, a system and apparatus for providing instant information service for a plurality of types of devices. The invention includes a network connecting unit that fetches data from backend servers and packages the data into XML elements. The invention further includes a controller and a cache, which caches the XML elements formed by the network connecting unit. The controller fetches relevant XML elements from the cache in response to a request for information service from at least one of the plurality of types of devices. When elements cannot be fetched from the cache, the controller also instructs the network connecting unit to fetch corresponding data from backend servers and obtains the XML elements formed by the network connecting unit. Further, the controller packages all the fetched XML elements into an XML document and sends it back to the at least one of the plurality of types of devices. XML is chosen as the format for the elements because XML is compatible with a plurality of device types, such as computers, cell phones, and wired telephones, for example (See, for example, page 9, lines 3-27 and Fig. 3).

Holt teaches only retrieving information to generate documents and returning them to a client. Holt does not teach or suggest specifically retrieving information and generating documents in XML format to produce objects that are compatible with, and retrievable by, a plurality of types of devices. Holt is specifically limited to retrieving documents for client computers.

Further, Shimomura only mentions that a popular current method of presenting information is in the form of World Wide Web pages formatted in HTML or XML. Shimomura neither teaches nor suggests using XML for implementation on a plurality of types of devices.

Further still, there is nothing taught or suggested in either Holt or Shimomura that creates a motivation to combine the references.

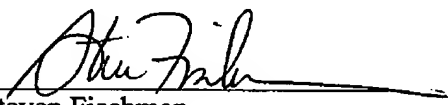
In view of the foregoing, it is respectfully submitted that Holt and Shimomura, whether taken alone or in combination, do not teach or suggest the subject matter recited in claims 1 and 3, as each of these references fails at least to teach or suggest a system and method for providing instant information service for a plurality of types of devices, where data is retrieved and packaged into XML elements that are compatible with, and retrievable by, a plurality of types of devices.

Claims 2 and 4, which depend directly or indirectly from the independent claims 1 and 3 incorporate all of the limitations of the corresponding independent claim and are therefore patentably distinct over Holt in view of Shimomura for at least those reasons provided for claims 1 and 3.

#### Conclusion

In view of the foregoing, applicants respectfully requests reconsideration, withdrawal of all rejections, and allowance of all pending claims in due course.

Respectfully submitted,

  
Steven Fischman  
Registration No. 34,594

Scully, Scott, Murphy & Presser  
400 Garden City Plaza, Suite 300  
Garden City, N.Y. 11530  
(516) 742-4343  
SF/BM:ej